

Certificate of Notice Page 1 of 7
 United States Bankruptcy Court
 Eastern District of Pennsylvania

In re:
 Keith L. Thorne
 Franceina Thorne
 Debtors

Case No. 16-11837-jkf
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-2

User: John
 Form ID: pdf900

Page 1 of 2
 Total Noticed: 10

Date Rcvd: Aug 05, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 07, 2019.

db/jdb +Keith L. Thorne, Franceina Thorne, 1806 North 76th Street, Philadelphia, PA 19151-2019
 cr ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Motor Credit Corporation, 19001 South Western Avenue,
 Torrance, CA 90509-2958)
 cr +Wilmington Savings Fund Society, FSB, d/b/a Chris, 9990 Richmond Avenue, Suite 400 South,
 Houston, TX 77042-4546
 13695631 +++Capital One Auto Finance, c/o AIS Portfolio Services, LP, 4515 N. Santa Fe Ave. Dept APS,
 Oklahoma City, OK 73118-7901

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: megan.harper@phila.gov Aug 06 2019 02:31:01 City of Philadelphia,
 City of Philadelphia Law Dept., Tax Unit/Bankruptcy Dept, 1515 Arch Street 15th Floor,
 Philadelphia, PA 19102-1595

smg E-mail/Text: RVSVCBICNOTICE1@state.pa.us Aug 06 2019 02:30:46
 Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946,
 Harrisburg, PA 17128-0946
 smg +E-mail/Text: usapae.bankruptcynotices@usdoj.gov Aug 06 2019 02:30:58 U.S. Attorney Office,
 c/o Virginia Powel, Esq., Room 1250, 615 Chestnut Street, Philadelphia, PA 19106-4404
 cr +E-mail/PDF: acg.acg.ebn@americaninfosource.com Aug 06 2019 02:29:40
 Capital One Auto Finance, P.O. Box 201347, Arlington, TX 76006-1347
 cr E-mail/PDF: acg.acg.ebn@americaninfosource.com Aug 06 2019 02:29:12
 Capital One Auto Finance c/o AIS Portfolio Service, P.O. BOX 4360, Houston, TX 77210-4360
 13692790 +E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Aug 06 2019 02:29:13
 Capital One Auto Finance, PO Box 93016, Long Beach, CA 90809-3016

TOTAL: 6

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
 13736870* +++Capital One Auto Finance, c/o AIS Portfolio Services, LP, 4515 N. Santa Fe Ave. Dept APS,
 Oklahoma City, OK 73118-7901
 TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '+++' were transmitted to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(e).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 07, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 5, 2019 at the address(es) listed below:

BARBARA A. FEIN on behalf of Creditor Toyota Motor Credit Corporation bfein@sanddlawyers.com,
 mhanford@sanddlawyers.com
 JASON BRETT SCHWARTZ on behalf of Creditor Capital One Auto Finance
 jschwartz@mesterschwartz.com
 JEROME B. BLANK on behalf of Creditor Wilmington Savings Fund Society, FSB DBA Christiana
 Trust et al paeb@fedphe.com
 MATTEO SAMUEL WEINER on behalf of Creditor Toyota Motor Credit Corporation
 bkgroup@kmlawgroup.com
 MICHAEL A. CATALDO2 on behalf of Debtor Keith L. Thorne ecf@ccpclaw.com,
 igotnotices@ccpclaw.com
 MICHAEL A. CATALDO2 on behalf of Joint Debtor Franceina Thorne ecf@ccpclaw.com,
 igotnotices@ccpclaw.com

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Page 2 of 2
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Date Rcvd: Aug 05, 2019

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

MICHAEL A. CIBIK2 on behalf of Debtor Keith L. Thorne ecf@ccpclaw.com, igotnotices@ccpclaw.com
MICHAEL A. CIBIK2 on behalf of Joint Debtor Franceina Thorne ecf@ccpclaw.com,
igotnotices@ccpclaw.com
POLLY A. LANGDON on behalf of Trustee FREDERICK L. REIGLE ecfmail@readingch13.com,
ecf_frpa@trusteel3.com
ROBERT PATRICK WENDT on behalf of Creditor Wells Fargo Bank, NA paeb@fedphe.com
SCOTT F. WATERMAN (Chapter 13) ECFMail@ReadingCh13.com, ecf_frpa@trusteel3.com
United States Trustee USTPRegion03.PH.ECF@usdoj.gov
WILLIAM MILLER*R on behalf of Trustee WILLIAM MILLER*R ecfemail@FredReigleCh13.com,
ECF_FRPA@Trusteel3.com

TOTAL: 13

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : Chapter 13
: Case No. 16-11837-jkf
KEITH L. THORNE, and : Consent Order Settling
FRANCEINA THORNE, : Capital One Auto Finance,
Debtors : a division of Capital One, N.A.'s
: Motion For Relief From The Automatic
: Stay Pursuant To 11 U.S.C. § 362

AND NOW, this day of , 2019, this matter having come before this Court upon application of Capital One Auto Finance, a division of Capital One, N.A. (hereinafter referred to as "COAF"), a secured creditor of the above-named Debtors, by its counsel, for relief from the automatic stays pursuant to 11 U.S.C. § 362;

AND it appearing that Debtors, *Keith L Thorne and Franceina Thorne*, through Debtors' attorney, *Michael A. Cataldo, Esquire*, have reached an agreement with regard to said Motion for Relief regarding a 2013 TOYOTA Camry Sedan 4D LE I4, V.I.N. 4T1BF1FK0DU719684 (the "Vehicle"), as per the terms contained in this Order;

AND, it appearing that Debtor, Franceina Thorne is indebted to COAF on a loan which enabled Debtors to purchase said Vehicle, which loan terms are set forth in a Retail Installment Contract (the "Contract"); and

It appearing that COAF is the holder of a secured claim against the Debtor and;

It appearing that the Debtors are in arrears post-petition in the amount of \$1,421.30 (\$1,115.30 in missed payments, plus \$306.00 in attorney's fees and costs) as of July 3, 2019;

It appearing that the Debtors and COAF have reached an agreement to cure post-petition arrears and attorney's fees and costs, the Debtors agree to pay \$236.89 monthly beginning July 14, 2019 for the next six (6) months (with payments due on the fourteenth of each month) to cure said arrears, while making regular monthly post-petition payments (\$234.22 per the Contract) due under the Contract beginning with the July 14, 2019 payment for a total monthly payment from July 14, 2019 through December 14, 2019 of \$471.11, wherefore,

It is hereby ORDERED and DECREED that if Debtors shall fail to make the regular monthly payment (or any portion thereof) or fail to make payment toward the curing of the arrears

as set forth above and Debtors fail to cure said default within ten (10) days after notice by *COAF* (or its counsel) of said default, counsel for *COAF* may file a Certification of Default with the Court setting forth Debtors' default and *COAF* shall be granted immediate relief from the automatic stay provisions of Section 362 of the Bankruptcy Code (11 U.S.C. § 362), and *COAF* is then also free to proceed with exercising its rights and remedies as may be allowed under State and Federal law. The Debtors shall be allowed to default and cure such default under this Consent Order one (1) time. Should Debtors default a second (2nd) time, notice of the default will be served, but the Debtors will not be granted an opportunity to cure the default and counsel for *COAF* may file a Certification of Default with the Court setting forth Debtors' default and *COAF* shall be granted immediate relief from the automatic stay provisions of Section 362 of the Bankruptcy Code (11 U.S.C. § 362).

It is **FURTHER ORDERED** and **DECREED** that in the event Debtors convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code then Debtors shall pay all pre-petition arrears and post-petition arrears within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtors fail to make payment in accordance with this paragraph then *COAF*, through Counsel, may file a certification setting forth said failure and *COAF* shall be granted immediate relief from the automatic stay provisions of Section 362 of the Bankruptcy Code (11 U.S.C. § 362) and *COAF* is then also free to proceed with exercising its rights and remedies as may be allowed under State and Federal law.

The failure by *COAF*, at any time, to file a Certification of Default upon default by the Debtors shall not be construed, nor shall such failure act, as a waiver of any of *COAF*'s rights hereunder.

This Order is a supplement and in addition to the Contract and not in lieu thereof.

Facsimile signatures shall be accorded the same force and effect as an original signature, and may be submitted to the Court.

It is further Ordered that the fourteen (14) day stay provided by Rule 4001(a)(3) is hereby waived.

Dated: 8/5/19

BY THE COURT:

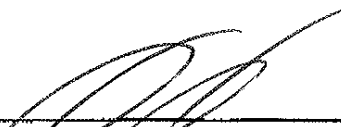


Hon. Jean K. FitzSimon
U.S. BANKRUPTCY JUDGE

Post-Petition Arrears: \$ 1,115.30
Counsel Fees: \$ 306.00
Total: \$ 1,421.30

Creditor: Capital One Auto Finance,
a division of Capital One, N.A.
By Counsel: Mester & Schwartz, P.C.

By:




Jason Brett Schwartz, Esquire
Mester & Schwartz, P.C.
1333 Race Street
Philadelphia, PA 19107
(267) 909-9036

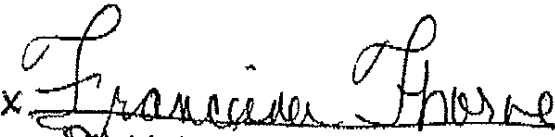
DATED: 7/31/19

Seen and agreed to -- We hereby consent to the form and entry of the foregoing Order.

Debtors: Keith L. Thorne and Francina Thorne
By Counsel for Debtor: Michael A. Cataldo, Esquire

By: 

Michael A. Cataldo, Esquire
Cibik & Cataldo, P.C.
1500 Walnut Street, Suite 900
Philadelphia, PA 19102
(215) 735-1060

x 

Francina Thorne
Debtor

DATED: .

Chapter 13 Trustee:

By: /s/ Polly A. Langdon

Scott F. Waterman, Esq.

Chapter 13 Trustee

2901 St. Lawrence Ave., Suite 100

Reading, PA 19606

(610) 779-1313

Please send copies to:

Keith L. Thorne
Franceina Thorne
1806 North 76th Street
Philadelphia, PA 19151

Michael A. Cataldo, Esq.
Cibik & Cataldo, P.C.
1500 Walnut Street, Suite 900
Philadelphia, PA 19102

Scott F. Waterman, Trustee
2901 St. Lawrence Ave., Suite 100
Reading, PA 19606

Office of the U.S. Trustee
833 Chestnut Street, Suite 500
Philadelphia, PA 19107

Jason Brett Schwartz, Esquire
Mester & Schwartz, P.C.
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Philadelphia, PA 19107